

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

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IN THE MATTER OF THE REQUEST	:	
FOR AGENCY ACTION OF LIVING	:	
RIVERS, PETITIONER; DIVISION OF	:	
OIL, GAS AND MINING, RESPONDENT	:	
– REQUEST TO APPEAL THE DECISION	:	NOTICE OF HEARING
OF THE DIVISION OF OIL, GAS AND	:	
MINING APPROVING THE	:	
APPLICATION OF EARTH ENERGY	:	Docket No. 2010-027
RESOURCES TO CONDUCT TAR	:	Cause No. M/047/0090 A
SANDS MINING AND RECLAMATION	:	
OPERATIONS AT THE PR SPRINGS	:	
MINE, UINTAH COUNTY AND GRAND	:	
COUNTY, UTAH.	:	

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THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE FOLLOWING MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining (“Board”), State of Utah, will conduct a hearing on WEDNESDAY, DECEMBER 8, 2010, at 9:00 AM, or as soon thereafter as possible, in the auditorium of the Department of Natural Resources, 1594 West North Temple, Salt Lake City, Utah.

The hearing will be conducted as a formal administrative adjudication in accordance with the rules of the Board as set forth in Utah Administrative Code R641 et seq. as provided for by Utah Code Ann. § 40-8-1 et seq. and Utah Code Ann. § 63G-4-101 through 601.

The purpose of the hearing will be for the Board to receive testimony and evidence regarding a Request for Agency Action filed by Living Rivers asking that the Board enter an Order:

1. Vacating the decision of the Division of Oil, Gas and Mining approving the application of Earth Energy Resources to conduct tar sands mining and reclamation operations at the PR Springs Mine located in portions of Sections 35 and 36, Township 15 South, Range 23 East, and Sections 31 and 32, Township 15.5 South, Range 24 East, Uintah County and Grand County, Utah; and
2. Providing such other relief as may be just and equitable under the circumstances.

Objections to or Requests to Intervene in the Request for Agency Action must be filed with the Secretary of the Board at the address listed below no later than November 24, 2010. A person must file a timely written objection or other response in order to participate as a party at the Board hearing.

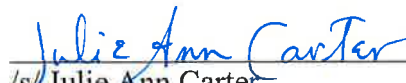
Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the State of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request for Agency Action, and any subsequent pleadings, may be inspected at the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Julie Ann Carter at (801) 538-5277, at least three working days prior to the hearing date.

DATED this 9th day of November, 2010.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
Douglas E. Johnson, Chairman



/s/ Julie Ann Carter
Secretary to the Board
1594 West North Temple, Suite 1210
Salt Lake City, Utah 84116
(801) 538-5277

CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2010-027, Cause No. M0470090 A to be mailed with postage prepaid, this 10th day of November, 2010, to the following:

Joro Walker
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CERTIFICATE OF PUBLISHED NOTICE

I hereby certify that I caused a true and correct copy of the foregoing NOTICE OF HEARING for Docket No. 2010-027, Cause No. M0470090 A to be PUBLISHED in the following newspapers on the following days:

November 21, 2010:

The Salt Lake Tribune and Deseret Morning News, newspapers of general circulation in Salt Lake City and County.

November 16, 2010:

Uintah Basin Standard, a newspaper of general circulation in Daggett, and Uintah Counties.

November 17, 2010:

Times-Independent, a newspaper of general circulation in Emery, Grand, and San Juan Counties.